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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,293	12/21/2001	Robert Palmquist	1011-001US01	8120

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EXAMINER

EDOUARD, PATRICK NESTOR

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 02/26/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/026,293

Applicant(s)

PALMQUIST, ROBERT

Examiner

Patrick N. Edouard

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to communication filed 10/30/02 (paper #6). Claims 1-27 and new 28-31 are pending.

Response to Arguments

2. Applicant's arguments filed 10/30/03 regarding claims 1, 13, 16, 23 and 26 have been fully considered but they are not persuasive because of the following reasons:

In response to Applicant's argument that Chong does not teach "transmitting image data over a network", rather Chong discloses transmitting "electronic text" or "input text". The examiner cannot concur. Even though Chong teaches at col. 5, lines 67; col. 6, line 16; col. 7, line 35, the input is electronic text, Chong teaches at col. 7, lines 5-16, the input data can be received as a facsimile transmission via a fax/modem board and a conventional page scanner with a sheet feeder can be used to scan in facsimile or printed pages as page image data for input to the computer server. Therefore, Chong teaches that the computer server 10 interfaces with a plurality of receiving devices such as fax/modem, printed pages where the input would be a page image and the input is not limited to "text" as argued by Applicant.

In response to Applicant's argument that Yamauchi facsimile device does not transmit image data for translation. The examiner cannot concur. Yamauchi teaches at col. 6, lines 32-37, "the compressed image data is supplied to a communication unit for character codes corresponding to the recognized characters. The facsimile apparatus

includes a translation unit that In response to Applicant's argument that the Yamauchi device therefore transmits "text data" not image data. The examiner cannot concur. Yamauchi teaches at col. 6, lines 27-43, the compressed image data is received at the communication unit 4.

In response to Applicant's argument that Yamauchi does not teach "displaying the image". The examiner cannot concur. Indeed, Yamachi teaches at col. 6, lines 44-46, the original image data is then transferred to to a plotter and at col. 4, the telecommunication outputs the received document simultaneously in first language and second language.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-10 and 12-29 are rejected under 35 U.S.C. 102(a) as being anticipated by Haritaoglu (Scene Text Extraction and Translation for Handheld devices).

As per claim 1, Haritaoglu teaches a method comprising (figures 1-4):

“Transmitting an image containing text into a first language over a network” (page II-409, Section 1.1 his system architecture, the current implementation of the system that works on a client/server type architecture, the computer vision extracts scene text information from the images captured by a camera attached to PDA and transmits the image through a network to be translated from the original language to a foreign language); and

“Receiving a translation of the text in a second language over the network” (figure, 1, Section 1, Introduction, page II-408, bottom right column, after that it translates them in to a desired language and the translated text are superimposed back to the same location in the scene image where the original foreign text is so that user can see the translated).

As per claim 2, Haritaoglu teaches capturing the first image, receiving instructions to edit the image and editing the first image to generate the second image (figures 1-6).

As per claim 3, Haritaoglu teaches further comprising displaying the image (figure 1).

As per claim 4, Haritaoglu teaches displaying the image and displaying the translation of the text in the second language simultaneously” (figure, 1, Section 1, Introduction, page II-408, bottom right column, after that it translates them in to a

desired language and the translated text are superimposed back to the same location in the scene image where the original foreign text is so that user can see the translated text).

As per claim 5, Haritaoglu teaches establishing a wireless connection with the network (section 1.1, System Architecture, page II-409, bottom left column, his wireless connection through GSM modem)

As per claim 6, Haritaoglu teaches wherein the first image containing first text, the method comprising"

"Transmitting a second image containing second text in the first language over the network "; (section 2, His scene text extraction. Page II-409,); and

"Receiving translation of the first text and the second text in the second text over the network"(figure 6, where the original image and the edited image are translated).

As per claim 7, Haritaoglu teaches transmitting the first image and the second image over a network in response to a single command from a user (figure 6, the images are transmitted over a wireless communication, III-413).

As per claim 8, Haritaoglu teaches displaying one of the translation of the first text and the translation of the second text in response to a command from a user (figure 6, page II-412, bottom, right column).

As per claim 9, Haritaoglu teaches compressing the image (figures 1 and 2)).

As per claim 10, Haritaoglu teaches receiving the image from an image capture device (page II-409, his color digital camera).

As per claim 12, Haritaoglu teaches one of a wireless telecommunication network, a cellular telephone network... and the Internet (figure 1).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 11 and 30-31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chong et al (5,535,120).

As per claim 11, It is noted that Haritaoglu teaches the claimed invention but explicitly teach prompting a user to provide additional information comprising at least one of an account number, an identification of the first language, an identification of the second language, a dictionary and a server location . However these features are well known in the art as evidenced by Chong et al who teach in col. 6, line 56 to col. 7, lines 1-3, col. 7, line 32 to col. 8, line 3, wherein the user can provide the identification of the first and the second language and the dictionary to use. Therefore, one having ordinary skill in the art at the time invention was made would have found it obvious to incorporate into Haritaoglu's system a recognition module system as taught by Chong because it would provide higher levels of translation accuracy and utility.

1. Claims 13-31 are the same in scope and content as claims 1-12 above and therefore are rejected under the same rationale.

2. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231 or faxed to:

(703) 308-9051, (for formal communications intended for entry) Or:

(703) 305-9508 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 11, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick N. Edouard whose telephone number is (703) 308-6725. The examiner can normally be reached on Tuesday-Friday from 07:30 a.m. - 6:00 p.m.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil, can be reached on (703) 305-9645

The facsimile phone number for this Art Unit is (703) 305-9508. Alternatively, facsimile messages may be sent directly to (703) 305-9644 where they will be stored in the examiner's voice mailbox (telling the examiner that a fax was received) and be automatically printed (i.e. - no delay by the examiner).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Patrick N. Edouard

January 21, 2004



PATRICK N. EDOUARD
PATENT EXAMINER